

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

June 26, 2013

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, June 26, 2013. The meeting was called to order at 7:05 p.m. by Council Vice President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers Karabinchak, Lankey, Lombardi, and Prasad. Councilmembers Diehl, Gomez and Mascola were absent.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Kemm, Business Administrator Ruane, Management Specialist Stephens, Finance Director Saponaro, Township Engineer Medina, Police Captain Kelly, Deputy Fire Chief Latham and Cameraman Cologne.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 27, 2012, and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, and duly carried, the Minutes of the Worksession Meeting of June 10, 2013 and Regular Meeting of May 8, 2013 were accepted as submitted.

COUNCIL VICE PRESIDENT'S REMARKS

Council Vice President Lombardi said the Council has received a request from the Mayor to act on the Police hiring ordinance. He said the Public Safety Committee will be meeting with the Prosecutor's office tomorrow to review the ordinance and will report back.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on June 12, 2013, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1838-2013 AN ORDINANCE APPROVING A RIGHTS OF WAY USE AGREEMENT WITH UNITED FIBER AND DATA, LLC FOR THE USE OF PUBLIC RIGHTS OF WAY FOR THE INSTALLATION OF TELECOMMUNICATION LINES AND FACILITIES.

(The above Ordinance O.1838-2013 can be found in its entirety in Ordinance Book # 26.)

Council Vice President Lombardi declared the Public Hearing opened for O.1838-2013

Hearing no further comments, on a motion made by Councilmember Lankey, seconded by Councilmember Prasad and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak, the Ordinance was adopted.

AYES - Councilmembers Karabinchak, Lankey, Prasad, and Council Vice President Lombardi

ABSENT: Councilmembers Gomez, Mascola and Council President Diehl

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council Vice President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.342-062013 through R.373-062013.

Jane Tousman, 14 Butler Road, spoke on Resolutions R.349-062013 through R. 351-062013. She asked if this is new debt or old debt. She also asked who our bond counsel is.

Ms. Ruane said some is old debt and some is new. Our bond counsel is Jack Kraft.

Ms. Tousman asked if Councilmember Dr. Prasad will be voting on Resolution R.371-062013.

Mr. Kemm said “no” he will abstain.

There were no other comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Lankey, seconded by Councilmember Karabinchak and duly carried, the public hearing was closed.

Councilmember Prasad requested that Resolution R.371-062013 & R.373-062013 be pulled for separate vote.

The following Resolutions R.342-062013 through R.370-062013 and R.372-062013 were adopted under the Consent Agenda on a motion made by Councilmember Lankey and seconded by Councilmember Karabinchak.

RESOLUTION R.342-062013

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 20, 2013

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 20, 2013

FUND	AMOUNT
Current	\$21,966,373.55
Affordable Housing	0.00
Capital	0.00
Cash Performance	39,068.64
CDBG	49,891.68
Developers Escrow	35,244.21
Dog (Animal Control)	838.50
Federal Forfeited	6,129.49
Grant Funds	9,925.77
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	417,648.08
Sanitation Fund	270,245.79
Sewer Utility	72,095.56
Tax Sale Redemption	26,267.73
Tree Fund	0.00
Tree Planting	8,197.85
Trust	110,660.29
TOTAL	\$23,012,587.14

/s/ Janice Saponaro
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.343-062013

WHEREAS, at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the said tax sale certificates have been redeemed thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling \$167,314.14.

RESOLUTION R.344-062013

WHEREAS, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$1,340.58 and

WHEREAS, the attached listing is a detail of the requested refunds.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Director of Finance shall and is hereby authorized to draw checks to the parties in the amounts specified on the attached listing.

RESOLUTION R.345-062013

RESOLUTION AWARDING A ONE YEAR RENEWAL CONTRACT TO BUSINESS AUTOMATION TECHNOLOGIES, INC. /DATA NETWORK SOLUTIONS FOR DATA AND VOICE SERVICE

WHEREAS, bids were received on March 1, 2012 for Public Bid No.12-01-23- Data and Voice Service; and

WHEREAS, R.237-042012 dated April 25, 2012 authorized the first year contract with BUSINESS AUTOMATION TECHNOLOGIES, INC./DATA NETWORK SOLUTIONS, 106 Apple Street, Suite 103, Tinton Falls, NJ 07724 for Items 1through 4 which has expired; and

WHEREAS, the contract allows for a second year renewal with all conditions, requirements and terms of the contract remaining the same; and

WHEREAS, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of May 21, 2014; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)).

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the appropriate Township Officials are hereby authorized to execute a contract with BUSINESS AUTOMATION TECHNOLOGIES, INC./DATA NETWORK SOLUTIONS, 106 Apple Street, Suite 103, Tinton Falls, NJ 07724 for a period of one (1) year in the amount not to exceed **\$35,000.00** expiring May 21, 2014.

RESOLUTION R.346-062013

RESOLUTION AWARDING CONTRACT TO QSEND TECHNOLOGIES FOR THE MAINTENANCE, SUPPORT AND HOSTING OF THE TOWNSHIP'S WEB-BASED CITIZEN SERVICE REQUEST MANAGEMENT SOFTWARE

WHEREAS, the Township of Edison needs to renew the annual maintenance, support and hosting agreement for the web-based citizen service request management software for the period of July 1, 2013 through June 30, 2014; and

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding in accordance with the Local Public Contracts law at N.J.S.A. 40A:11-5(dd); and

WHEREAS, QSEND TECHNOLOGIES, 231 Bank Street, Waterbury, CT 06702, has submitted a proposal to provide such services for a one year term at a total cost of \$7,111.54 (\$4,711.54 for software maintenance and support and \$2,400.00 for hosting fees); and

WHEREAS, funds in the amount of \$7,111.54 have been certified to be available in the Public Buildings Telephone Account, Number 3-01-31-0440-000-076.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or her designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$7,111.54, with QSEND TECHNOLOGIES, 231 Bank Street, Waterbury, CT 06702 as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$7,111.54** are available for the above in Account No. **3-01-31-0440-000-076**.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.347-062013

RESOLUTION AWARDING CONTRACT TO CBIZ BENEFITS AND INSURANCE SERVICES, INC. FOR INSURANCE BROKER

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on May 13, 2013, for RFP 13-03, INSURANCE BROKER for a bid opening date of May 29, 2013 and seven (7) proposals were received; and

WHEREAS, after review and evaluation of said bids it has been recommended by the Evaluation Committee that the contract be awarded to CBIZ BENEFITS AND INSURANCE SERVICES, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 at a price of \$2.50 per employee per month; and

WHEREAS, the total amount of this contract, not to exceed \$33,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)).

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All proposals have been reviewed, and the proposal as submitted by CBIZ BENEFITS AND INSURANCE SERVICES, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 is determined to be the lowest, responsible, responsive proposal for an INSURANCE BROKER.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00, and any other necessary documents, with CBIZ BENEFITS AND INSURANCE SERVICES, INC. in accordance with their proposal.

RESOLUTION R.348-062013

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, The Township of Edison has determined that the property described on Schedule A (Vehicles and Equipment) attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Edison intends to utilize the online auction services of US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 , web address www.usgovbid.com, for the amount of one and one-half percent (1 1/2%) of the receipts of sales; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9 – Revised October, 2011.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, State of New Jersey, as follows:

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, www.usgovbid.com.
2. The Mayor, or her designee, is hereby authorized to execute the attached contract with US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724 as described herein.
3. The terms and conditions of the sale are available at www.usgovbid.com.
4. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

RESOLUTION R.349-062013

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF TAXABLE GENERAL OBLIGATION BONDS OF THE TOWNSHIP OF EDISON, NEW JERSEY INTO A SINGLE ISSUE OF TAX-EXEMPT GENERAL OBLIGATION BONDS AGGREGATING \$3,215,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY (the "Township") **AS FOLLOWS:**

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Taxable General Obligation Bonds of the Township of Edison, New Jersey authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 1 hereof, shall be combined into a single and combined issue of Taxable General Obligation Bonds in the principal amount of \$3,215,000 (the "Bonds"). The principal amount of the Taxable General Obligation authorized by each ordinance to be combined into a single issue, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$ 23,000.00	0.180-84	Providing for the construction of sidewalks along Plainfield Avenue, finally adopted September 26, 1984	10 years
\$ 52,618.00	0.343-87	Providing for the construction, reconstruction and improvements to Vineyard Road, finally adopted March 25, 1987	40 years
\$ 4,313.08	0.387-87	Providing for the construction of a Community Center and acquisition and installation of furnishings and equipment, finally adopted September 23, 1987	30 years
\$ 124,661.00	0.442-88	Providing for improvements to the water distribution system, finally adopted December 28, 1988	40 years
\$ 6,532.08	0.474-89	Providing for the installation of traffic signals to James Street and Grove Avenue, finally adopted September 13, 1989	10 years
\$ 232.95	0.479-89	Providing for the acquisition of property, finally adopted September 27, 1989	40 years
\$ 4,210.71	0.541-90	Providing for the acquisition of certain vehicles and equipment and the construction of various building improvements, finally adopted October 10, 1990	12 years
\$ 155.94	0.550-91	Providing for the acquisition of traffic signals to Kimler Road and Truman Drive, finally adopted March 13, 1991	15 years
\$ 3,500.00	0.555-91	Providing for road improvements	10 years

		at the intersection of Brunswick Avenue and Tylor Road, finally adopted April 10, 1991	
\$ 15,000.00	0.581-91	Providing for the construction, reconstruction and resurfacing of various roads, finally adopted September 11, 1991	5 years
\$ 11,620.72	0.582-91	Providing for the repairs, renovations and improvements to various municipally owned properties, finally adopted September 11, 1991	15 years
\$ 13,904.72	0.591-91	Providing for the design and construction of municipal landfill improvements, finally adopted December 11, 1991	15 years
\$ 247.63	0.597-91	Providing for the acquisition of firefighter apparatus and equipment, finally adopted December 26, 1991	5 years

\$ 2,000.00	0.599-91	Providing for the acquisition and installation of First Aid Squad equipment, finally adopted December 26, 1991	5 years
\$ 106.79	0.603-91	Providing for drainage improvements at Plymouth and Liddle Avenues, finally adopted December 26, 1991	15 years
\$ 794.00	0.648.-92	Providing for the installation of traffic improvements, finally adopted September 23, 1992	15 years
\$ 2,686.19	0.659.-92	Providing for the installation of traffic improvements, finally adopted November 12, 1992	15 years
\$ 390.80	0.696-93	Providing for the renovation of Fire Station #6, finally adopted April 28, 1993	10 years
\$ 11,982.65	0.697-93	Providing for the acquisition of fire pumper trucks, finally adopted April 28, 1993	10 years
\$ 786,236.00	0.709-93	Providing for improvements to the water system, finally adopted July 14, 1993	40 years
\$ 3,500.00	0.759-94	Providing for the construction of an addition to the Woodbridge Avenue Senior Center Building, finally adopted January 26, 1994	15 years
\$ 12,284.92	0.1122-99	Providing for the acquisition of property for open space purposes, finally adopted February 24, 1999	40 years
\$ 1,136.00	0.1126-99	Providing for the supplemental appropriation for the Woodland Park acquisition, finally adopted February 24, 1999	40 years
\$ 273,546.87	0.1255-2001	Providing for the acquisition of parcels of property, finally adopted May 9, 2001	40 years
\$ 1,886.13	0.1294-2002	Providing for a supplemental appropriation for the acquisition of property for open space purposes, finally adopted April 27, 2002	40 years
\$ 235,370.22	0.1303-2002	Providing for various road improvements, finally adopted April 10, 2002	20 years
\$1,200,000.00	0.1351-2003	Providing for improvements to the water collection system, finally adopted March 26, 2003	40 years
\$ 202,375.00	0.1389-2003	Providing for various capital improvements, finally adopted	10.92 years

		December 22, 2003	
\$ 220,707.60	0.1411-2004	Providing for the acquisition of property for open space purposes, finally adopted May 12, 2004	40 years
\$3,215,000			36.51 years*

* Average useful life

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 36.51 years.

(b) The Bonds of the combined issue shall be designated "Taxable General Obligation Bonds" and shall mature within the average period of usefulness herein determined.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) No bonds described in Section 1 herein have been sold or issued, and the bond ordinances described in Section 1 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds described therein.

(b) The purposes or obligations authorized by the respective bond ordinances described in Section 1 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 3. This resolution shall take effect immediately.

RESOLUTION R.350-062013

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$13,144,000 TAX-EXEMPT GENERAL OBLIGATION BONDS AND \$3,215,000 TAXABLE GENERAL OBLIGATION BONDS OF THE TOWNSHIP OF EDISON, NEW JERSEY AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY (the "Township") AS FOLLOWS:

Section 1. The \$13,144,000 Tax-Exempt General Obligation Bonds of the Township of Edison, New Jersey referred to and described in the resolution adopted by the Township Council pursuant to the Local Bond Law of the State of New Jersey on June 26, 2013, "Resolution Providing for the Combination of Certain Issues of Tax-Exempt General Obligation Bonds into a Single Issue of Bonds Aggregating \$13,144,000 in Principal Amount", shall be issued as tax-exempt general obligation bonds (the "Tax-Exempt Bonds"). The Tax-Exempt Bonds shall mature in the principal amounts on August 1 in each of the years as follows:

Year	Principal Amount
2014	\$ 625,000
2015	\$ 625,000
2016	\$ 625,000
2017	\$ 625,000
2018	\$ 625,000
2019	\$ 630,000
2020	\$ 630,000
2021	\$ 630,000
2022	\$ 630,000
2023	\$1,250,000
2024	\$1,250,000
2025	\$1,250,000
2026	\$1,250,000

Year	Principal Amount
2027	\$1,250,000
2028	\$1,249,000

The Tax-Exempt Bonds maturing on or after August 1, 2024 are redeemable at the option of the Township in whole or in part on any date on or after August 1, 2023 at a Redemption Price equal to the principal amount thereof, plus accrued interest to the date fixed for redemption in accordance with the procedure set forth in the Notice of Sale herein. The Tax-Exempt Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered TEGO-1 to TEGO-15, inclusive.

Section 2. The \$3,215,000 Taxable General Obligation Bonds of the Township of Edison, New Jersey referred to and described in the resolution adopted by the Township Council pursuant to the Local Bond Law of the State of New Jersey on June 26, 2013, "Resolution Providing for the Combination of Certain Issues of Taxable General Obligation Bonds into a Single Issue of Bonds Aggregating \$3,215,000 in Principal Amount", shall be issued as taxable general obligation bonds (the "Taxable Bonds"). The Taxable Bonds shall mature in the principal amounts on August 1 in each of the years as follows:

Year	Principal Amount
2014	\$ 180,000
2015	\$ 185,000
2016	\$ 190,000
2017	\$ 195,000
2018	\$ 200,000
2019	\$ 205,000
2020	\$ 210,000
2021	\$ 215,000
2022	\$ 220,000
2023	\$ 225,000

Year	Principal Amount
2024	\$ 230,000
2025	\$ 235,000
2026	\$ 240,000
2027	\$ 240,000
2028	\$ 245,000

The Taxable Bonds maturing on or after August 1, 2024 are redeemable at the option of the Township in whole or in part on any date on or after August 1, 2023 at a Redemption Price equal to the principal amount thereof, plus accrued interest to the date fixed for redemption in accordance with the procedure set forth in the Notice of Sale herein. The Taxable Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered TGO-1 to TGO-15, inclusive.

Section 3. The Tax-Exempt Bonds and the Taxable Bonds are collectively referred to hereinafter as the "Bonds".

Section 4. The Bonds will be issued in fully registered form. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants and the transfers of the interests among its participants. Individual purchases may be made in multiples of \$5,000 or any integral multiple of \$1,000 in excess thereof through book-entries made on the books and the records of The Depository Trust Company and its participants. The Bonds will bear interest payable on February 1, 2014 and semiannually thereafter on the first days of February and August in each year until maturity at the rate or rates per annum in accordance with the Notice of Sale authorized herein. Interest on the Bonds will be paid by the Township to the Registered Owners as of January 15 and July 15 next preceding the date of such payments (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk.

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to conform with the requirements of The Depository Trust Company:

RESOLUTION R.351-062013

**RESOLUTION PROVIDING FOR THE COMBINATION OF
CERTAIN ISSUES OF TAX-EXEMPT GENERAL OBLIGATION
BONDS OF THE TOWNSHIP OF EDISON, NEW JERSEY INTO
A SINGLE ISSUE OF TAX-EXEMPT GENERAL OBLIGATION
BONDS AGGREGATING \$13,144,000 IN PRINCIPAL
AMOUNT.**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY (the "Township") AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Tax-Exempt General Obligation Bonds of the Township of Edison, New Jersey authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 1 hereof, shall be combined into a single and combined issue of Tax-Exempt General Obligation Bonds in the principal amount of \$13,144,000 (the "Bonds"). The principal amount of the

Tax-Exempt General Obligation authorized by each ordinance to be combined into a single issue, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$1,162,800.00	0.1404-2004	Providing for wastewater collection system improvements, finally adopted April 14, 2004	15 years
\$1,000,000.00	0.1451.05	Providing for wastewater collection systems, finally adopted February 24, 2005	40 years
\$ 770,645.45	0.1568-2007	Providing for the purchase of various parcels of land, finally adopted May 9, 2007	40 years
\$1,174,623.29	0.1589-2007	Providing for various improvements to Inman Avenue and Tingley railroad crossing, finally adopted September 26, 2007	20 years
\$2,823,731.26	0.1616-2008	Providing for various capital improvements, finally adopted April 28, 2008	9.89 years
\$ 417,200.00	0.1617-2008	Providing for the purchase of vehicles and equipment, finally adopted April 28, 2008	7.21 years
\$1,511,000.00	0.1721-2009	Providing for various capital improvements, finally adopted October 28, 2009	12.87 years
<u>\$4,284,000.00</u>	0.1817-2012	Providing for various capital improvements, finally adopted December 26, 2012	8.86 years
<u>\$13,144,000.00</u>			15.23 years*

* Average useful life

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 15.23 years.

(b) The Bonds of the combined issue shall be designated "Tax-Exempt General Obligation Bonds" and shall mature within the average period of usefulness herein determined.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) No bonds described in Section 1 herein have been sold or issued, and the bond ordinances described in Section 1 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds described therein.

(b) The purposes or obligations authorized by the respective bond ordinances described in Section 1 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 3. This resolution shall take effect immediately.

RESOLUTION R.352-062013

Authorizing Overpayment Refund caused by successful Tax Court Appeal

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	PATEL, DINESH R. & DAXA
PROPERTY LOCATION	37 LIVINGSTON AVE.
BLOCK / LOT / QUALIFIER	BLOCK 1007 LOT 21
DOCKET NUMBER:	014186-2011
TAX YEAR	2011
FREEZE ACT YEAR(S)	2012

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, and the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the above Freeze Act Year(s).

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of \$3,464.69 and

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of \$3,464.69.

RESOLUTION R.353-062013

RESOLUTION OF THE TOWNSHIP OF EDISON, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE ADMINISTRATOR AND CHIEF FINANCIAL OFFICER TO ALLOW FOR CREDIT CARD PAYMENTS FOR CERTAIN CHARGES PURSUANT TO N.J.S.A. 40A:5-43 ET SEQ.

WHEREAS, N.J.S.A. 40A:5-45 provides that a municipality may establish a credit card payment system upon passage of Resolution by the governing body; and

WHEREAS, the Township desires to adopt a card payment system by which the Township of Edison may accept payment by card for Municipal Court fines, fees and penalties, as well as other municipal payments including charges, fines and fees related to taxes, sewer service, code enforcement, licenses and permits, or any other department the Chief Financial Officer deems necessary; and

WHEREAS, as proscribed by N.J.S.A 40A:5-45, credit payments are not authorized hereunder for payment to the municipality of delinquent obligations or for the redemption of liens; and

WHEREAS, the Township has selected TD Bank to process any credit card or debit card payments made pursuant to N.J.S.A 40A:5-45 at no cost to the Township; and

WHEREAS, it is the desire of the Township to establish a card payment system and authorize the execution of any documents necessary to facilitate the establishment of a card payment system pursuant to N.J.S.A. 40A:5-45 for Municipal Court fines, fees and penalties as well as other municipal payments including charges, fines and fees related to taxes, sewer service, code enforcement, licenses and permits, or any other department the Chief Financial Officer deems necessary.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Edison, Middlesex County, State of New Jersey as follows:

1. That a card payment system is hereby established pursuant to N.J.S.A. 40A:5-45 for Municipal Court fines fees and penalties, as well as other municipal payments including charges, fines and fees related to taxes, sewer service, code enforcement, and licenses and permits.
2. That the Administrator and Chief Financial Officer are hereby authorized to execute any and all documents necessary to secure card payment services through TD Bank.
3. That the Township Clerk shall forward a certified copy of the Resolution to the Business Administrator, Chief Financial Officer and Municipal Court Administrator.

RESOLUTION R.354-062013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000079, to the following:

Permit Number: 0232
Opening Location: Fox Road
Block/Lot: 546.QQ/ 6
Applicant's Name & Address: Ground Water & Environmental Services, Inc.
1340 Campus Parkway, Building B
Neptune, NJ 07753
Initial Deposit Date: 04/25/13
Deposit Amount: \$100.00
Paid by & refunded to: Groundwater And Environmental Services, Inc.
440 Creamery Way, Suite 500
Exton, PA 19341

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.355-062013

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number ST00000080, to the following:

Permit Number: 0233
Opening Location: Foyer Street
Block/Lot: 294/3
Applicant's Name & Address: Ground Water & Environmental Services, Inc.
1340 Campus Parkway, Building B
Neptune, NJ 07753
Initial Deposit Date: 04/25/13
Deposit Amount: \$100.00
Paid by & refunded to: Groundwater And Environmental Services, Inc.
440 Creamery Way, Suite 500
Exton, PA 19341

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.356-062013

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on October 17, 2012, a Construction (Building) Permit fee, Check #18312, permit #20123773, was posted in the total amount of \$521.00 by the contractor, Seasonal World, Inc., having offices at 532 Monmouth Road, Clarksburg, NJ; and

WHEREAS, the application was submitted for an inground pool at 57 Heathcote Avenue by the hired contractor; who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$452.00, derived from the \$521.00 total construction permit fee less the \$69.00 DCA fee, be refunded to the Homeowner Carole Capriglione, residing at 57 Heathcote Avenue, Edison, NJ 08817; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20123773, in the amount of \$452.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$452.00 on construction permit fees posted by Seasonal World In., for 57 Heathcote Avenue be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$452.00 from the Refund of Revenue Fund to the Homeowner, Carole Capriglione at 57 Heathcote Avenue, Edison , NJ 08817.

RESOLUTION R.357-062013

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on March 25, 2013, a Construction (Building) Permit fee, check #1774, permit #20131323, was posted in the total amount of \$152.00 by the contractor, Weather Makers, having offices at 132 Lewis Street #B1, Eatontown, NJ 07724; and

WHEREAS, the application was submitted to replace furnace, a/c and water heater at 271 Alden Avenue by the hired contractor; Weather Makers, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$140.00, derived from the \$152.00 total construction permit fee less the \$12.00 DCA fee, be refunded to the contractor Weather Makers, having their office at 132 Lewis St #B1, Eatontown, NJ 07724; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 20131323, in the amount of \$140.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$140.00 on construction permit fees posted by Weather Makers for 271 Alden Avenue be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$140.00 from the Refund of Revenue Fund to the Contractor, Weather Makers, , 132 Lewis Street #B1, Eatontown , NJ 07724.

RESOLUTION R.358-062013

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on September 24, 2012, a Construction (Building) Permit fee, check #3031, permit # 2012-3674, was posted in the total amount of \$113.00 by the owner, Robert Barry Sr, residing at 52 Burchard Street, Edison, NJ 08837; and

WHEREAS, the application was submitted to replace an air conditioner by the hired contractor; Supreme Heating and AC, who did not make known to the Construction Code Enforcement Division that the homeowner is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$113.00 total construction permit fee less the \$0 DCA fee, be refunded to the Homeowner Robert Barry, residing at 52 Burchard Street, Edison, NJ 08837; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit # 2012-3674, in the amount of \$113.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$113.00 on construction permit fees posted by Robert Barry, for 52 Burchard Street be refunded to the Homeowner;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$113.00 from the Refund of Revenue Fund to the Homeowner, Robert Barry, 52 Burchard Street, Edison , NJ 08837.

RESOLUTION R.359-062013

EXPLANATION: This resolution provides for refund of the inspection portion of the construction permit fee, less Administration fees, and less 20% municipal plan review fee per the UCC, posted for a residential construction permit where inspection services were not performed .

WHEREAS, on January 4, 2013, a Construction (Building) Permit fee, check #7222, permit #20130046, was posted in the total amount of \$500.00 by Roof Diagnostics Solar, having offices at 2333 Highway 34 South, Wall, NJ 08736; and

WHEREAS, the application was submitted to install roof mount solar system at 1 Wren Court for the homeowner; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled; and

WHEREAS, it is therefore appropriate that the municipal permit fee in the amount of \$336.00, derived from the \$500.00 total construction permit fee less the \$80.00 DCA fee, and less 20% plan review fee of \$84.00 for permit #20130046, be refunded to Roof Diagnostics Solar; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20130046, in the amount of \$336.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$336.00 on construction permit fees posted by Roof Diagnostics Solar for 1 Wren Court be refunded to Roof Diagnostics Solar;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$336.00 from the Refund of Revenue Fund to Roof Diagnostics Solar, 2333 Highway 34 South, Wall, NJ 08736.

RESOLUTION R.360-062013

EXPLANATION: This resolution provides for refund of the inspection portion of the construction permit fee, less Administration fees, and less 20% municipal plan review fee per the UCC, posted for a residential construction permit where inspection services were not performed .

WHEREAS, on January 4, 2013, a Construction (Building) Permit fee, check #7221, permit #20130047, was posted in the total amount of \$343.00 by Roof Diagnostics Solar, having offices at 2333 Highway 34 South, Wall, NJ 08736; and

WHEREAS, the application was submitted to install roof mount solar system at 115 Wilson Avenue for the homeowner; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled; and

WHEREAS, it is therefore appropriate that the municipal permit fee in the amount of \$240.00, derived from the \$343.00 total construction permit fee less the \$43.00 DCA fee, and less 20% plan review fee of \$60.00 for permit #20130047, be refunded to Roof Diagnostics Solar; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #20130047, in the amount of \$240.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$240.00 on construction permit fees posted by Roof Diagnostics Solar for 115 Wilson Avenue be refunded to Roof Diagnostics Solar;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$240.00 from the Refund of Revenue Fund to Roof Diagnostics Solar, 2333 Highway 34 South, Wall, NJ 08736.

RESOLUTION R.361-062013

EXPLANATION: This resolution provides for refund of applicant fee posted for Residential Continued Certificate of Occupancy (C.C.O.).

WHEREAS, On April 10, 2013, Residential Continued Certificate of Occupancy fee was posted in the amount of \$150.00 by Leonard M. Witkowski for 5 Barlow Road; and

WHEREAS, the resident is a Senior Citizen and paid the application fee in error.

WHEREAS, it is therefore appropriate that the fee in the amount of \$150.00 be refunded to the applicant; and

WHEREAS, the Township Engineer recommends the refund of the Residential Continued Certificate of Occupancy Fee in the amount of \$150.00 for the above referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum of \$150.00 posted by Leonard M. Witkowski Residential Continued Certificate of Occupancy for 5 Barlow Road be refunded to Leonard M. Witkowski.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the applicant.

RESOLUTION R.362-062013

EXPLANATION: This resolution provides for refund of applicant fee posted for Residential Continued Certificate of Occupancy (C.C.O.).

WHEREAS, On April 23, 2013, Residential Continued Certificate of Occupancy fee was posted in the amount of \$150.00 by Audeliz Angie Perez for 23 Eileen Way; and

WHEREAS, the application was applied for in error.

WHEREAS, it is therefore appropriate that the fee in the amount of \$150.00 be refunded to the applicant; and

WHEREAS, the Township Engineer recommends the refund of the Residential Continued Certificate of Occupancy Fee in the amount of \$150.00 for the above referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum of \$150.00 posted by Audeliz Angie Perez Residential Continued Certificate of Occupancy for 23 Eileen Way be refunded to Audeliz Angie Perez.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the applicant.

RESOLUTION R.363-062013

RESOLUTION REJECTING ALL BIDS FOR GENERATOR RENTALS

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on April 12, 2013 for Public Bid No. 13-04-10-GENERATOR RENTALS with a bid opening date of April 30, 2013; and

WHEREAS, Section 40A:11-13.2d of the Local Public Contracts Law allows for the rejection of bids when the contracting agent wants to substantially revise the specifications for the goods or services.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey as follows:

1. The bids for Public Bid No. 13-04-10-GENERATOR RENTALS are hereby rejected pursuant to N.J.S.A 40A:11-13.2d .
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.364-062013

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FM GENERATOR INCORPORATED, FOR GENERATOR MAINTENANCE AND REPAIR

WHEREAS, bids were received by the Township of Edison on May 14, 2013 for Public Bid No. 13-10-03, Generator Maintenance and Repair for the Department of Public Works; and

WHEREAS, FM GENERATOR INCORPORATED, 35 Pequit St., Canton, MA 02021, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)).

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by FM GENERATOR INCORPORATED, 35 Pequit St., Canton, MA 02021 for Generator Maintenance and Repair for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or her designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 and any other necessary documents, with FM GENERATOR INCORPORATED, as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.365-062013

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE AUTOMOBILE PARTS AND ACCESSORIES CONTRACT WITH NATIONAL PARTS AND SUPPLY COMPANY IN AN AMOUNT NOT TO EXCEED \$15,000.00

WHEREAS, NATIONAL PARTS AND SUPPLY COMPANY, 535 Milltown Rd., North Brunswick, NJ 08902 was awarded Contract No. 12-03-10 on September 12, 2012 through Resolution R.565-092012 for a one year period effective September 28, 2012 in the amount of \$45,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; and

WHEREAS, in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-15, a contract may be extended when a contracting unit has commenced rebidding prior to the time the contract expires; and

WHEREAS, the Township recommends that this contract in the amount not to exceed \$15,000.00 be extended with the price as well as all terms and conditions to remain the same until the new contract becomes effective; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)).

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or her designee, is hereby authorized to extend the contract in the amount of \$15,000.00 with NATIONAL PARTS AND SUPPLY COMPANY as described herein.

RESOLUTION R.366-062013

RESOLUTION AUTHORIZING A REIMBURSEMENT TO MURALI GUTHIKONDA FOR THE ABC PROGRAM

WHEREAS Murali Guthikonda, made a duplicate payment for the registration fee of \$25.00 for his child Ishan Guthikonda's participation in the ABC Program at John Marshall Elementary School; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$25.00 to Murali Guthikonda, 1007 Rivendell Way, Edison, NJ 08817, which amount represents the overpayment for the registration fee.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$25.00 are available in Account #3-01-55-0291-000-000.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.367-062013

RESOLUTION AWARDING PAYMENT TO VARIOUS NON-PROFIT ORGANIZATIONS FOR LEAGUE RECREATIONAL SERVICES FUNDING SPORTS ACTIVITIES

WHEREAS, there exists an ordinance for the Township of Edison to provide for League Recreational Services Funding for sports activities sponsored by certain nonprofit sports organizations; and

WHEREAS, funds in the amount of \$193,761.00 have been certified to be available in the Recreation Other Professional Services Account Number 3-01-28-0370-000-028; and

WHEREAS, the below listed nonprofit sports organizations will be eligible for the amounts specified as their annual allotment, after complying with all requirements listed in the contracts between the Leagues and the Township of Edison:

Clara Barton American Legion #324	\$ 2,106.00
Edison Angels Softball	\$20,880.00
Edison Boys Baseball	\$42,120.00
Edison Jets Football	\$ 9,720.00
Edison Youth Basketball	\$15,390.00
Edison United Soccer Association	\$27,000.00
Fords/Clara Barton Little League	\$ 3,888.00
Little Eagles Wrestling	\$ 2,835.00
Midtown Little League	\$13,770.00
North Edison Baseball & Softball Asso.	\$42,282.00
North Edison Shamrocks Football	\$ 9,720.00
Buddy Ball of Edison	\$ 4,050.00

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that authorization be given, to release said funds to these nonprofit sports organizations.

CERTIFICATION

I hereby certify that funds in the amount of \$193,761.00 are available for the above payment in Account No. 3-01-28-0370-000-028.

/s/ Janice Saponaro
Chief Financial Officer

RESOLUTION R.368-062013

***Edward Byrne Memorial Justice Assistance Grant
(FY 2013 Local Solicitation)
Grant Application and Approval***

WHEREAS; the Division of Police wishes to apply for and approve acceptance of grant funding in the amount of \$18,250.00 to use towards the overall purchase of a new fully equipped police vehicle; and

WHEREAS; the Edison Division of Police is one of four police departments in Middlesex County that is eligible to receive funding from the Edward Byrne Memorial Justice Assistance Grant; and

WHEREAS; the grant allows for police departments to purchase much needed additional equipment in the fight against crime.

NOW, THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the grant application and to approve acceptance of the Edward Byrne Memorial Justice Assistance Grant in the amount of \$18,250.00.

BE IT FURTHER RESOLVED, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application and execute the grant agreement for and on behalf of the Township of Edison.

RESOLUTION R.369-062013

***2013 DRIVE SOBER OR GET PULLED OVER Statewide Labor Day Crackdown
Grant Application and Initiative***

WHEREAS, the Division of Police wishes to apply for grant funding in the amount of \$4,400.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2011, there were 627 fatalities from traffic accidents in New Jersey of which 195 were alcohol related which equates to 36.4%; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; the project will involve increased enforcement from August 16, 2013 through September 2, 2013; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares it's support for the grant application and participation in the Drive Sober or Get Pulled Over 2013 Statewide Labor Day Crackdown Grant between August 16, 2013 – September 2, 2013 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.

RESOLUTION R.370-062013

WHEREAS, Our Lady of Peace Church, 26 Maple Avenue, Edison, NJ, has requested a waiver of any and all permit and/or application fees concerning the replacement of School Roof; and

WHEREAS, under the building code, Our Lady of Peach Church, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Our Lady of Peace Church.

RESOLUTION R.372-062013

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2013; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-008-005	Royal Garden, Inc. T/A Royal Garden 518 Old Post Road	Edison, NJ 08817
1205-33-010-004	New Orleans Liquor, LLC t/a Skylark Diner 17 Wooding Avenue	Edison, NJ 08817
1205-33-019-010	CB of Edison, Inc. t/a Charlie Browns Steakhouse 222 Plainfield Road	Edison, NJ 08820

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses

[Hotel/Motel] expiring on June 30, 2013, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-053-004	Restaurant Route 27 LLC t/a Crowne Plaza Hotel 2055 Lincoln Highway	Edison, NJ 08817

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Distribution Licenses expiring on June 30, 2013, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 1, 2013.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-061-002	YSS&D, Inc t/a Edison Discount Wine & Spirits 144-146 Talmadge Road	Edison, NJ 08817

The following Resolutions will be voted upon separately:

RESOLUTION R.371-062013

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Township Council of the Township of Edison, County of Middlesex, New Jersey, expiring on June 30, 2013; and

WHEREAS, an application has been made for the renewal of Plenary Retail Consumption License (Hotel/Motel Exception), held by Raritan Hospitality LLC, for the premises commonly known as the Edison Hotel, bearing License Number: 1205-36-055-002 issued by the Director of the Division of Alcoholic Beverage Control, pursuant to N.J.A.C. 13:2-4.1, as a member of the Township Council has an interest in the License; and

WHEREAS, the proper applications and fees of \$2,500 to the municipality and \$200 to the State of New Jersey have been received by the Township Clerk; and

WHEREAS, as the Township Council is conflicted from considering this matter in its capacity as the local Alcoholic Beverage Control Board, it adopts this Resolution pursuant to N.J.A.C. 13:2-4.6 to advise that the Township Council is not aware of any local ordinance which would prohibit the renewal of this License, that any circumstances which could impact upon the renewal of this License have been provided to the Division by the Edison Police Department for the Division's consideration and/or action and therefore the Township Council has no basis to object to the renewal of this License.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, New Jersey, in its capacity as the local Alcoholic Beverage Control Board, that it has no basis to object to the renewal of this License and submits this Resolution to the Director of the Division of Alcoholic Beverage Control for consideration in regard to the renewal application of Licensee Raritan Hospitality, LLC for Plenary Retail Consumption License (Hotel/Motel Exception), bearing License Number: 1205-36-055-002.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Lankey, to adopt this Resolution.

AYES - Councilmembers Karabinchak, Lankey, and Council Vice President Lombardi

NAYS - None

Councilmember Gomez, Mascola and Council President Diehl were absent.

Councilmember Prasad abstained from voting.

RESOLUTION R.373-062013

WHEREAS, N.J.S.A. 40A:9-133 allows the Governing Body of a Municipality to appoint an Acting Municipal Clerk for a term of one year;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Cheryl Russomanno, 38 New Brooklyn Road, Edison, New Jersey 08817, be and she is hereby appointed to the position of Acting Municipal Clerk of the Township of Edison, Middlesex, New Jersey to serve a term of one year effective July 1, 2013.

A motion was made by Councilmember Lankey, seconded by Councilmember Karabinchak, to adopt this Resolution.

AYES - Councilmembers Karabinchak, Lankey and Council Vice President Lombardi.

NAYS - None

Councilmember Gomez, Mascola, and Council President Diehl were absent.

Councilmember Prasad abstained from voting.

ORAL PETITIONS AND REMARKS

Council Vice President Lombardi opened the meeting for public comment.

Walt Shneer, Park Way, said the trash is piling up at the boat dock and it is not being picked up. He felt we need signage and to enforce fines for littering. He asked who monitors the area.

Mr. Medina said Public Works monitors the area and he will discuss additional signage with Mr. Roderman.

Mr. Shneer said there is a piece of vacant property where the grass is two feet high. He asked who takes care of this.

Ms. Ruane replied he should call Mr. Elliot in the Health Department.

Mr. Shneer asked the procedure for having branches removed from property.

Ms. Ruane said to place them on the curb for pick-up.

Esther Nemitz, 162B Fay Street, asked the status of our COAH money.

Mr. Kemm said the State budget has in it confiscated COAH funds that are not yet committed. We will submit our information on how we have committed all of our COAH money. He said we are on firm ground, however that does not mean that we will not end up in court. He said August 7th is the deadline.

Ms. Nemitz asked why the Library items were pulled off the agenda.

Mr. Kemm said an issue was raised by the Council regarding Library items being placed on the Council agenda. He conferred with our auditor and the Library will take care of approving their own Resolutions. The Council will not act on them.

Ms. Nemitz asked for an update on the Open Space Trust Fund.

Ms. Saponaro said she has been in contact with Mr. Stochel and is obtaining further information.

Ms. Nemitz said the next Open Space meeting is on July 11th and hopefully she will have some answers.

Fred Wolke, 10 Peake Road, asked where we stand on the Police hiring ordinance.

Council Vice President Lombardi said the Public Safety Committee is reviewing this with the prosecutor.

Charlie Tomaro, Waverly Drive East, reported that the State is not funding the County for the recycling program this year which is a loss of \$2 million. He said trash is being dumped all over and the County did a Resolution in support of this funding and he felt the Township should do one also. He thanked everyone that participated in the Health Fair at the Food Pantry. He also thanked Mr. Thomas and Mr. Roderman from DPW for the clean up at the cemetery. He said it looks awesome.

Hearing no further comments from the public Councilmember Lankey made a motion to close the public hearing, which was seconded by Councilmember Karabinchak and duly carried

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Lankey, the meeting was adjourned at 7:28 p.m.

Michael Lombardi
Council Vice President

Cheryl Russomanno
Acting Municipal Clerk